

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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BRIAN S. ROBINSON,

Plaintiff,

v.

HOMETOWN HEALTHCARE, *et al.*,

Defendants.

Case No. 3:20-cv-00683-MMD-WGC

ORDER

**I. SUMMARY**

*Pro se* Plaintiff Brian S. Robinson brings this action pursuant to 42 U.S.C. § 1983 against several Defendants. (ECF No. 1-1.) Robinson's complaint has not yet been screened as required under 42 U.S.C. § 1915A. However, Robinson has filed multiple motions, including a motion to amend his complaint. The Court now addresses these motions and, because it is unclear what his current address is, instructs Robinson to update his address.

**II. PLAINTIFF'S ADDRESS**

According to the Nevada Department of Corrections ("NDOC") inmate database, Robinson is no longer incarcerated at Northern Nevada Correctional Center ("NNCC"), the address that he provided to the Court. NDOC records list Robinson's current status as "out of state confinement." The Court notes that pursuant to the District of Nevada's Local Rule of Practice IA 3-1, a "pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The notification must include proof of service on each opposing party or the party's attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court." This Court grants Robinson 30 days from the date of entry of this order to file his updated

1 address with this Court. If Robinson does not update the Court with his current address  
2 within 30 days from the date of entry of this order, this case will be subject to dismissal  
3 without prejudice.

### 4 **III. PLAINTIFF'S MOTIONS**

5 Robinson has filed ten motions requesting various relief, which the Court will  
6 address in turn.

#### 7 **A. ECF No. 8**

8 Robinson filed a motion (ECF No. 8), asking the Court to accept his amended  
9 complaint (ECF No. 8-1) as the operative complaint in this case. Robinson's motion is  
10 granted. The Court accepts the amended complaint as the operative complaint in this  
11 case. The Court will screen the amended complaint after Robinson provides the Court with  
12 his current address.

#### 13 **B. ECF Nos. 9, 10**

14 Robinson filed two identical motions for a preliminary injunction and temporary  
15 restraining order. (ECF Nos. 9, 10.) The motions are based on allegations that Robinson  
16 was not receiving proper medical or dental care while housed at NNCC and ask for relief  
17 against Warden Russell, officer Inwood, and Dr. Naughton, all of whom the amended  
18 complaint list as employees at NNCC. (ECF Nos. 9 at 1-2, 8-1 at 2-4.) As it appears that  
19 Robinson is not currently housed at NNCC, injunctive relief against these Defendants is  
20 not appropriate. Accordingly, the Court denies these motions without prejudice.

#### 21 **C. ECF No. 17**

22 Robinson filed a motion requesting discovery. (ECF No. 17.) Because this case is  
23 currently at a pre-screening stage, motions for discovery are not appropriate at this time,  
24 and the Court denies the motion without prejudice.

#### 25 **D. ECF Nos. 11, 13, 14, 15, 18**

26 Robinson also filed several motions requesting that the Court address his motions  
27 for an amended complaint, preliminary injunction, and temporary restraining order (ECF  
28 Nos. 11, 13, 14, 15), as well as a motion requesting that his motions be treated as

1 emergencies (ECF No. 18). In light of this order addressing Robinson's substantive  
2 motions, the motions requesting Court action are denied as moot.

3 **E. ECF No. 23**

4 Robinson filed a motion stating that in June 2021 he was transferred without notice  
5 and that during the transfer he lost various legal documents. (ECF No. 23.) Robinson  
6 requests that the Court direct the Clerk of the Court to mail him a complete copy of all  
7 legal filings and records in this case. (*Id.* at 3.) As it appears that Robinson is no longer  
8 at the address listed with the Court, the Court cannot mail copies of his legal filings. As  
9 such, the Court denies the motion without prejudice.

10 **IV. CONCLUSION**

11 For the foregoing reasons, it is ordered that Robinson shall file his updated address  
12 with the Court within 30 days from the date of this order.

13 It is further ordered that if Robinson fails to timely comply with this order, this case  
14 will be subject to dismissal without prejudice.

15 It is further ordered that a decision on Robinson's application to proceed *in forma*  
16 *pauperis* (ECF No. 4) is deferred.

17 It is further ordered that Robinson's motion for the Court to accept the amended  
18 complaint (ECF No. 8) is granted. The Court will screen the amended complaint (ECF No.  
19 8-1) after Robinson provides the Court with his current address.

20 It is further ordered that Robinson's motions for a preliminary injunction and  
21 temporary restraining order (ECF Nos. 9, 10) are denied without prejudice.

22 It is further ordered that Robinson's motion for discovery (ECF No. 17) is denied  
23 without prejudice.

24 It is further ordered that Robinson's motions for Court action regarding his  
25 substantive motions (ECF Nos. 11, 13, 14, 15, 18) are denied as moot.

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1 It is further ordered that Robinson's motion for a copy of court filings (ECF No. 23)  
2 is denied without prejudice.

3 DATED THIS 25<sup>th</sup> Day of February 2022.

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7 MIRANDA M. DU  
8 CHIEF UNITED STATES DISTRICT JUDGE  
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